



PUBLIC NOTICE

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NEW ENHANCEMENTS TO WIRELESS EMERGENCY ALERTS WILL BE AVAILABLE ON DECEMBER 13, 2019

PS Docket Nos. 15-91, 15-94

Over the years, the Federal Communications Commission (Commission) has periodically taken important measures to promote the effectiveness of Wireless Emergency Alerts (WEA), and to make such messages more accessible. In September 2016, the Commission adopted rules that would require Participating Commercial Mobile Service (CMS) Providers to support, by May 1, 2019, longer WEA Alert Messages (from 90 to 360 characters) for 4G LTE and future networks; a new class of Alert Message (“Public Safety Messages”) to convey recommended actions for saving lives or property (*e.g.*, emergency shelter locations after a disaster); Spanish-language Alert Messages; a new category of Alert Messages (“State/Local WEA Tests”) to promote alert originator proficiency and public awareness; and the presentation of WEA Alert Messages on the mobile device as soon as they are received.¹ In January 2018, the Commission adopted an enhanced geotargeting requirement that would require Participating CMS Providers to support, by November 30, 2019, the precise delivery of WEA Alert Messages to 100 percent of the target area specified by an alert originator, with no more than a one-tenth of a mile overshoot, for both new mobile devices offered for sale and existing devices capable of being upgraded to support this standard.² These implementation timeframes took into account that providers must complete extensive testing before rolling out these upgrades.³

The Department of Homeland Security’s Federal Emergency Management Agency (FEMA), which administers the Integrated Public Alert and Warning System (IPAWS) infrastructure through which all alerts are authenticated, validated, and delivered to Participating CMS Providers, previously informed the Bureau that it would not be ready to support the enhancements that were scheduled to become

¹ See *Wireless Emergency Alerts; Amendments to Part 11 of the Commission’s Rules Regarding the Emergency Alert System*, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 11112 (2016) (*WEA R&O*); *Wireless Emergency Alerts; Amendments to Part 11 of the Commission’s Rules Regarding the Emergency Alert System*, Second Report and Order and Second Order on Reconsideration, 33 FCC Rcd 1320, 1347-48, paras. 49-50 (2018) (*Second WEA R&O*) (extending the time for Participating Commercial Mobile Service (CMS) Providers to comply with the Spanish-language alerting requirement from two years to 30 months). Participating CMS Providers are commercial mobile service providers that have elected voluntarily to transmit WEA Alert Messages. See 47 CFR §§ 10.10(d), (f).

² See 47 CFR § 10.450(a) (effective November 30, 2019); *Second WEA R&O*, 33 FCC Rcd at 1324-25 & 1327-29, paras. 6, 9 & 12.

³ See *WEA R&O*, 31 FCC Rcd at 11161-62, para. 79; *Second WEA R&O*, 33 FCC Rcd at 1329-31, para. 12.

effective on May 1, 2019 by that date.⁴ It was not until November 15, 2019 that IPAWS became available for formal testing for support of the required WEA enhancements that became effective May 1, 2019 and of enhanced WEA geotargeting that is scheduled to become effective November 30, 2019.⁵

To allow for a smooth transition for all stakeholders, the Bureau finds good cause to waive on our own motion the effective date of Participating CMS Providers' obligation to support the WEA enhancements described above.⁶ The shortest feasible timeframe for testing WEA enhancements that any Participating CMS Provider has identified is four weeks.⁷ Accordingly, in light of IPAWS' ability to support formal testing only as recently as November 15, 2019, we extend the compliance deadline for these WEA enhancements until **December 13, 2019**.⁸ This action will ensure that Participating CMS Providers have sufficient time to test these enhancements in the lab and in the field, and to make any necessary adjustments to their networks based on what they learn from testing prior to deployment.⁹ In addition, this extension will allow Participating CMS Providers to avoid implementing network changes during high-traffic periods, including Thanksgiving, Black Friday, and Cyber Monday.¹⁰ Until December

⁴ See *Advisory Regarding May 1 Deadline for Improvements to Wireless Emergency Alerts and Guidance for State/Local Alert Originators*, PS Docket Nos. 15-91, 15-94, Public Notice, 34 FCC Rcd 2819 (2019); see also *Public Safety and Homeland Security Bureau Announces Delay in Availability of Certain Improvements to Wireless Emergency Alerts*, PS Docket Nos. 15-91, 15-94, Public Notice, 34 FCC Rcd 4647 (2019).

⁵ On November 21, 2019, Antwane Johnson, Director of Integrated Public Alert and Warning System Program, FEMA advised Nicole McGinnis, Deputy Chief, Public Safety and Homeland Security Bureau, FCC, telephonically that IPAWS became available on November 15, 2019 and formal testing began on November 18, 2019.

⁶ See 47 CFR §§ 0.5(c) ("Pursuant to section 5(c) of the Communications Act, the Commission has delegated authority to its staff to act on matters which are minor or routine or settled in nature and those in which immediate action may be necessary."); 1.3 ("The provisions of this chapter may be suspended, revoked, amended, or waived for good cause shown, in whole or in part, at any time by the Commission, subject to the provisions of the Administrative Procedure Act and the provisions of this chapter."); 0.191 (expressing the functions of the Public Safety and Homeland Security Bureau); 0.392 (expressing the authority delegated to the Public Safety and Homeland Security Bureau).

13, 2019, Participating CMS Providers must continue to deliver WEA Alert Messages to an area that “best approximates” the target area specified by the alert originator.¹¹

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⁷ See Letter from Matthew Gerst, Vice President, Regulatory Affairs, CTIA, to Lisa Fowlkes, Chief, Public Safety and Homeland Security Bureau, FCC, PS Docket No. 15-91, at 2 (Nov. 21, 2019) (*CTIA Nov. 21, 2019 Letter*) (stating that the two-week testing period that FEMA has proposed “leaves inadequate time to ensure that the new WEA features are implemented without undue risk to the WEA system” and encouraging the Commission to “accommodate a minimal period of at least 14 days beyond the November 30th deadline for service providers and FEMA to complete final testing necessary to ensure that new WEA capabilities are implemented reliably”).

⁸ In addition to IPAWS’ readiness to support these features, alert originators’ ability to use these capabilities depends upon completion of necessary upgrades to alert origination software. Alert originators should contact their alert origination software vendors to determine their readiness to support enhanced geo-targeting. FEMA’s IPAWS Program Management Office offers webinars to provide information to alert origination software vendors regarding incorporation of new WEA features. To receive information about upcoming webinar topics, dates and times, subscribe to email notifications at <https://www.fema.gov/integrated-public-alert-warning-system-program-management-office-get-involved>. Recordings of past webinars are available. See www.fema.gov/ipaws for more information.

⁹ In the *Second WEA R&O*, the Commission stated that, according to FEMA, “the IPAWS platform will only accept targeting polygons with up to 100 vertices.” *Second WEA R&O*, 33 FCC Rcd at 1326-27, para. 8. FEMA has advised the Bureau that it has not yet implemented a filter to limit polygons to 100 vertices or fewer. As noted in the *Second WEA R&O*, “Participating CMS Providers that choose to use device-based geo-fencing are only required to transmit 76 vertices of up to four decimal places specifying the target area to a mobile device.” *Id.* at 1327, n.43. FEMA indicates that it is conducting outreach to alert originators and alert origination software vendors to ensure that they are aware of the limit on the number of vertices. The Bureau encourages FEMA to continue this outreach and to implement the filter to limit polygons to 100 vertices or fewer as swiftly as possible. See *CTIA Nov. 21, 2019 Letter* at 4.

¹⁰ Participating CMS Providers did not learn about IPAWS’ readiness for testing until such a date that made it impossible for them to test outside of high-traffic periods. See *Public Safety and Homeland Security Bureau Encourages Communications Service Providers to Implement Important Network Reliability Practices*, Public Notice, DA-19-1039 (PSHSB Oct. 15, 2019) (stating the importance of performing work on in-service equipment during low-traffic periods, as recommended by the Communications Security, Reliability, and Interoperability Council).

¹¹ See 47 CFR § 10.450(a); *WEA Second R&O*, 33 FCC Rcd at 1324-25, 27-28, paras. 6, 9. In light of our action herein, requests for relief from the obligation to meet the enhanced geotargeting requirement on November 30, 2019 are unnecessary.